

Jorge Alejandro Rojas
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Plaintiff in Pro Se
557 Cambridge Way
Bolingbrook, IL 60440
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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

JORGE ALEJANDRO ROJAS,

Plaintiff,

v.

UNPLUGGED MEDIA, LLC, et al,

Defendants.

Case No. 2:23-cv-02667-AH-KS

District Judge Anne Hwang
Magistrate Judge Karen L. Stevenson

**REQUEST TO CONTINUE MOTION
HEARING; REQUEST FOR
ELECTRONIC APPEARANCE VIA
ZOOM**

Hearing: July 30, 2025, 1:30 PM

Plaintiff, Jorge Alejandro Rojas, respectfully requests that the Court continue the hearing date on the requests to set aside default judgments (Dkts. 113, 114) set for July 30, 2025 (Dkt. 119) to August 6, 2025 or August 13, 2025, and authorize Plaintiff's electronic appearance via Zoom.

Pursuant to L.R. 7-3, Plaintiff attempted to confer with all the Defendants moving to set aside the default judgments, but did not receive a response. Specifically, Plaintiff e-mailed both Defendant Christopher Gutierrez Cuenza ("Cuenza") and Alexander Bykhovsky ("Bykhovsky") on June 17, 2025, seeking to confer. Exhibit 1, Declaration of J. Rojas, "Rojas Dec'l" ¶ 3. Plaintiff has not received a response. Rojas Dec'l ¶ 3. Plaintiff

1 also texted Cuenza on June 23, 2025, at a telephone number which the parties have texted
2 in the past, and did not receive a response. Rojas Dec'l ¶ 4.

3 This is an action under the Telephone Consumer Protection Act ("TCPA"), 47
4 U.S.C. § 227. On May 7, 2025, a final default judgment was entered as to Cuenza,
5 Bykhovsky, and their respective corporate entities, in the amount of \$61,500. Dkt. 111. On
6 June 3, 2025, Cuenza and Bykhovsky filed requests to set aside the defaults. Dkts. 113,
7 114. Plaintiff filed oppositions on June 8, 2025. Dkts. 115, 116. On June 17, 2025, this
8 Court set oral argument for July 30, 2025. Dkt. 119.

9 On June 20, 2025, Bykhovsky filed a request to electronically appear at the hearing.
10 Dkt. 120. The Court granted the request on June 25, 2025. Dkt. 122. The proposed order
11 being submitted for this request includes granting Bykhovsky's electronic appearance
12 request for the new date to the extent the continuance is granted.

13 Plaintiff respectfully requests the Court continue the hearing to August 6, 2025 or
14 August 13, 2025. The basis for this request is that Plaintiff is scheduled to be on pre-
15 arranged travel to Annapolis, Maryland on July 30, 2025 for a series of meetings and
16 conferences for his employment. Rojas Dec'l ¶ 5. Plaintiff's attendance in person to the
17 conference and meetings is essential as Plaintiff presents on several important aviation
18 industry topics part of his job responsibilities which cannot be rescheduled. Rojas Dec'l ¶
19 5.

20 Plaintiff attempted to confer with Defendants to confirm their availability for the
21 new requested hearing dates but did not receive a response. Rojas Dec'l ¶¶ 3-4.

22 Plaintiff also requests the ability to appear via Zoom. The basis for the electronic
23 appearance request is primarily due to Plaintiff's work schedule and location. Plaintiff lives
24 in Bolingbrook, Illinois, a suburb of Chicago (Rojas Dec'l ¶ 6), and would need to pay for
25 air travel to attend the hearing, and miss at least one, and possibly two, days of work to
26 attend the hearing in person and arrange to make sure his work obligations are covered by
27 another individual. Rojas Dec'l ¶¶ 7-8. While if the hearing date is continued Plaintiff will
28 have more flexibility to have someone else cover some of his work obligations, Plaintiff

1 won't be able to do the same with the current hearing date because of the planned
2 conference. Rojas Dec'l ¶ 5.

3 Plaintiff recognizes that he commenced this action in this venue, primarily because
4 he viewed it as the appropriate forum given Defendants made the telephone call to Plaintiff,
5 who has a 424 "in district" area code, while he was present within the District.

6 Plaintiff has requested electronic appearances in the past for similar circumstances
7 which have been granted. Dkts. 103, 54, 34.

8 Plaintiff believes good cause exists for the continuance request because of the
9 extenuating circumstances of being on pre-arranged travel for work. Moving the date to
10 the following week or the one after would allow Plaintiff to be able to meet both his work
11 obligations and attend the Court's hearing with less conflicts.

12 Plaintiff believes good cause exists for the Zoom request due to his distance, work
13 schedule, and that Bykhovsky will be appearing electronically as well. Authorizing this
14 request would allow Plaintiff to be able to meet his work obligations and attend the Court's
15 hearing without scheduling issues.

16 Plaintiff believes the parties resources would be conserved utilizing a Zoom
17 appearance, as it would reduce the expenses necessary in this case (primarily the air fare,
18 fares which range from \$300-500 as of this filing) as well as allow Plaintiff to attend the
19 hearing with minimal interruption to his work requirements and obligations. Attending
20 virtually would allow reduced interruption to Plaintiff's work obligations because of the
21 lack of need to travel.

22 Although each request is analyzed on a case by case basis, Plaintiff has been
23 approved to attend remote hearings in the past and has not had technical or logistical issues
24 doing so.

25 The brief continuance will not prejudice the moving Defendants. Plaintiff will not
26 enforce the judgment as to the moving defendants while the motion to set aside default is
27 pending. Rojas Dec'l ¶ 10.

1 Plaintiff respectfully requests the Court continue the schedule hearing to August 6,
2 2025 or August 13, 2025 and authorize Plaintiff to appear via Zoom.

3 A proposed order consistent with the relief requested is included.

4 Respectfully submitted,

5 Dated: June 29, 2025.

6 /s/ Jorge Alejandro Rojas
7 Jorge Alejandro Rojas
8 Rojas.jorge96@gmail.com
9 Plaintiff in Pro Se
557 Cambridge Way
Bolingbrook, IL 60440
(424) 219-1582

10 **CERTIFICATE OF SERVICE**

11 Plaintiff will mail a copy of this filing to each Defendants last known address and/or
12 registered agent via USPS Mail.

13 Dated: June 29, 2025.

/s/ Jorge Alejandro Rojas

14 **L.R. 11-6.1 CERTIFICATE OF COMPLIANCE**

15 The undersigned, Plaintiff Jorge Alejandro Rojas, certifies that this brief contains 1,088
16 words, based upon Microsoft Word's calculation, which complies with the word limit of
17 L.R. 11-6.1.

18 Dated: June 29, 2025.

/s/ Jorge Alejandro Rojas

19 **CERTIFICATE OF CONFERRAL**

20 Plaintiff attempted to confer with each defendant at least seven days prior to the
21 filing of this motion and did not receive a response. Specifically, Plaintiff e-mailed
22 Bykhovsky and Cuenza on June 17, 2025 seeking conferral, and did not receive a response.
23 Plaintiff also texted Cuenza on June 23, 2025 to follow up, to a number which Plaintiff and
24 Cuenza have communicated using in the past, and did not receive a response.

25 Dated: June 29, 2025.

/s/ Jorge Alejandro Rojas